## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION 5:23-cv-45-MOC

ARNALDO RICHETTI,	)	
Plaintiff,	)	
v.	)	ORDER
MARTIN O'MALLEY,	, )	<u> </u>
Commissioner of Social Security,	)	
	)	
Defendant.	)	

**THIS MATTER** is before the Court on Plaintiff's motion for award of attorney's fees under the Equal Access to Justice Act. (Doc. No. 16). The Government does not oppose Plaintiff's motion.

Upon review of the materials, the Court finds that Plaintiff's request for attorney fees is reasonable. The motion for attorney fees is **GRANTED**. It is hereby, **ORDERED** that Plaintiff, Arnaldo Richetti, is awarded attorney fees in the amount of \$7,293.11. Full or partial remittance of the EAJA award will be contingent upon a determination by the Government that Plaintiff owes no qualifying, pre-existing debt(s) to the Government.

If Plaintiff has no outstanding federal debt, the Commissioner may honor any EAJA assignment that Plaintiff may provide and make the check(s) payable to Plaintiff's counsel. However, if Plaintiff has an outstanding federal debt, the Commissioner will make the check(s) payable to Plaintiff directly and deliver the check(s) to the business address of Plaintiff's counsel. The amount of EAJA award payable to Plaintiff will be the balance of EAJA award remaining after subtracting the amount of Plaintiff's outstanding federal debt. This award will be paid directly to Plaintiff, Arnaldo Richetti, and sent to the business address of Plaintiff's counsel

at Olinsky Law Group 250 S Clinton St Ste 210 Syracuse, NY 13202 either by check or electronic payment. If Plaintiff's outstanding federal debt exceeds the amount of the EAJA award approved pursuant to the Order, the amount of the EAJA award will be used to offset Plaintiff's federal debt and no EAJA award shall be paid.

IT IS SO ORDERED.

Signed: March 19, 2024

United States District Judge

Max O. Cogburn J.